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MAY 07 2004

OFFICE OF PETITIONS

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q67010

Kazuya TAKENOUCHI, et al.

Appln. No.: 10/035,217

Group Art Unit: 1616

Confirmation No.: 4555

Examiner: Sabiha Naim Qazi

Filed: January 04, 2002

For: VITAMIN D3 DERIVATIVE AND TREATING AGENT FOR INFLAMMATORY  
RESPIRATORY DISEASE USING SAME

**PETITION TO ACCEPT UNINTENTIONALLY DELAYED CLAIM  
FOR BENEFIT OF PRIORITY**

**MAIL STOP PETITIONS**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. § 1.78(a)(3), Applicants submit a petition to accept the unintentionally delayed claim for benefit of priority in the above-identified patent to International Application No. PCT/JP99/05826, filed on October 22, 1999, in view of the following:

1. The entire delay between the date the claim for benefit of priority was due under 37 C.F.R. § 1.78(a)(2)(ii) and the date that the claim was unintentional.
2. The reference required by 35 U.S.C. § 120 and paragraph 37 C.F.R. § 1.78(a)(2) to the prior filed application is submitted herewith.

05/06/2004 AWONDAF1 00000032 10035217

01 FC:1454

1330.00 OP

Adjustment date: 09/15/2005 AKELLEY

05/06/2004 AWONDAF1 00000032 10035217

01 FC:1454

-1330.00 OP

Repln. Ref: 09/15/2005 AKELLEY 0009534400

DAH:194880 Name/Number:10035217

FC: 9204

\$1330.00 CR

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**UNITED STATES PATENT & TRADEMARK OFFICE**  
Washington, D.C. 20231

REQUEST FOR PATENT FEE REFUND																																																						
1 Date of Request: <u>5/11/05</u>		2 Serial/Patent # <u>10035217</u>																																																				
3 Please refund the following fee(s): <table border="1" style="width:100%; border-collapse: collapse;"> <tr><td style="width: 10%;"></td><td style="width: 40%;">Filing</td><td style="width: 15%;">4 PAPER NUMBER</td><td style="width: 15%;">5 DATE FILED</td><td style="width: 20%;">6 AMOUNT</td></tr> <tr><td></td><td>Amendment</td><td></td><td></td><td>\$</td></tr> <tr><td></td><td>Extension of Time</td><td></td><td></td><td>\$</td></tr> <tr><td></td><td>Notice of Appeal/Appeal</td><td></td><td></td><td>\$</td></tr> <tr><td>✓</td><td>Petition</td><td>Pet.</td><td>5/4/04</td><td>\$ 1330.00</td></tr> <tr><td></td><td>Issue</td><td></td><td></td><td>\$</td></tr> <tr><td></td><td>Cert of Correction/Terminal Disc.</td><td></td><td></td><td>\$</td></tr> <tr><td></td><td>Maintenance</td><td></td><td></td><td>\$</td></tr> <tr><td></td><td>Assignment</td><td></td><td></td><td>\$</td></tr> <tr><td></td><td>Other</td><td></td><td></td><td>\$</td></tr> </table>		Filing	4 PAPER NUMBER	5 DATE FILED	6 AMOUNT		Amendment			\$		Extension of Time			\$		Notice of Appeal/Appeal			\$	✓	Petition	Pet.	5/4/04	\$ 1330.00		Issue			\$		Cert of Correction/Terminal Disc.			\$		Maintenance			\$		Assignment			\$		Other			\$	7 TOTAL AMOUNT OF REFUND <div style="border: 1px solid black; padding: 5px; display: inline-block; width: 150px;">\$ 1330.00</div>			
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11 REFUND REQUESTED BY: <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div style="width: 60%;">             TYPED/PRINTED NAME: <u>Liana Chase</u>              SIGNATURE: <u><i>[Signature]</i></u>              OFFICE: <u>Petitions</u> </div> <div style="width: 35%;">             TITLE: <u>Paralegal</u>              PHONE: <u>272-3206</u> </div> </div>																																																						
<div style="border: 1px solid black; height: 40px; margin-bottom: 5px;"></div> <div style="font-size: 0.8em;">***** THIS SPACE RESERVED FOR FINANCE USE ONLY: *****</div> <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div style="width: 55%;">             APPROVED: <u><i>[Signature]</i></u> </div> <div style="width: 40%;">             DATE: <u>9/15/05</u> </div> </div>																																																						

*Instructions for completion of this form appear on the back. After completion, attach white and yellow copies to the official file and mail or hand-carry to:*